

Practitioner's Docket No. U 016310-9

IN THE UNITED STATES DESIGNATED OFFICE (DO/US)

<u>PCT/CH2004/000077</u>	<u>10 February 2004</u>	<u>2 December 2003</u>
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED

A DEVICE AND METHOD FOR MEASURING A PROPERTY OF LIVING TISSUE
 TITLE OF INVENTION

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APPLICANT(S) FOR DO/US

Mail Stop PCT
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

ATTENTION: DO/US

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

The NOTIFICATION OF DEFECTIVE RESPONSE of November 7, 2007, indicates a Preliminary Amendment of July 16, 2006, and requests multiple-dependent and total claim fees of \$3,070.00.

CERTIFICATION UNDER 37 C.F.R. 1.10*
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I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date November 15, 2007, in an envelope as "Express Mail Post Office to Addressee", mailing Label Number EV927571363US, addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

~~Connie Yannotti~~ Geraldine Marti
(type or print name of person mailing paper)

Geraldine Marti
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The Preliminary Amendment was filed and is of record July 17, 2006. Therefore, the Notification considered the wrong amendment.

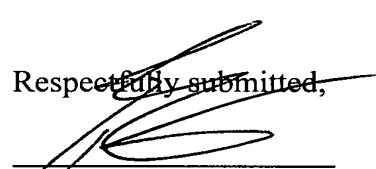
The Preliminary Amendment of July 17, 2006, deleted all the multiple claim dependence. Therefore, the Notification should not require a fee therefor.

The Preliminary Amendment of July 17, 2006, limited the claims to 35 for which a fee for 15 is due. Therefore, the Notification should not require a fee for 64.

However, the Preliminary Amendment of July 17, 2006, inadvertently deleted the dependence of claim 24, which is restored with the Preliminary Amendment filed herewith to avoid a fee for an excess independent claim that the Notification does not request.

The fee (\$750.00) for 15 claims over 20 @ \$50.00 and the surcharge (\$130.00) for filing the inventor's Declaration after 30 months were paid at \$830.00 by check P 057117 of April 5, 2007. Therefore, the balance due (\$50.00) is attached.

Respectfully submitted,


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